

JUDICIAL PROCEDURE, CIVIL

CHAPTER 234

SENATE BILL NO. 2331

(Senators Wanzek, Heckaman)
(Representatives Brandenburg, Hogan)

AN ACT to amend and reenact sections 28-01-25.1 and 29-04-03.1 of the North Dakota Century Code, relating the statute of limitations on the prosecution of and claim for relief on actions alleging childhood sexual abuse.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 28-01-25.1 of the North Dakota Century Code is amended and reenacted as follows:

28-01-25.1. Limitation on actions alleging childhood sexual abuse.

Notwithstanding section 28-01-25, a claim for relief resulting from childhood sexual abuse must be commenced within seventen years after the plaintiff knew or reasonably should have known that a potential claim exists resulting from alleged childhood sexual abuse. For purposes of this section, "childhood sexual abuse" means any act committed by the defendant against the plaintiff which occurred when the plaintiff was under eighteen years of age and which would have been a violation of chapter 12.1-20 or 12.1-27.2. In a claim for relief under this section, the plaintiff is not required to establish which act in a continuous series of sexual abuse acts by the defendant caused the injury.

SECTION 2. AMENDMENT. Section 29-04-03.1 of the North Dakota Century Code is amended and reenacted as follows:

29-04-03.1. Prosecution for sexual abuse of minors.

1. Except as provided in subsection 2, a prosecution for a violation of sections 12.1-20-03 through 12.1-20-08 or of section 12.1-20-11 if the victim was under eighteen years of age at the time the offense was committed must be commenced in the proper court within seventen years after the commission of the offense or, if the victim failed to report the offense within this limitation period, within three years after the offense was reported to law enforcement authorities.
2. If, based upon evidence containing deoxyribonucleic acid obtained at the time of offense, a suspect is conclusively identified by deoxyribonucleic acid testing after the time period prescribed in subsection 1 has expired, a prosecution may be commenced within three years after the suspect is conclusively identified by the deoxyribonucleic acid testing.

Approved April 1, 2015
Filed April 1, 2015

CHAPTER 235

HOUSE BILL NO. 1086

(Representatives Klemin, K. Koppelman, Olson)
(Senators Armstrong, Hogue, Casper)

AN ACT to amend and reenact subsection 10 of section 28-22-02 and subsection 1 of section 28-22-03.1 of the North Dakota Century Code, relating to absolute exemptions from process, levy, or sale.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 10 of section 28-22-02 of the North Dakota Century Code is amended and reenacted as follows:

10. In lieu of the homestead, and subject to the same value limitations that exist with respect to the homestead exemption, any housetrailer or mobile home occupied as a residence by the debtor or the debtor's family, except that it is not exempt from process, levy, or sale for taxes levied on it pursuant to chapter 57-55. This section does not preclude the debtor from claiming a mobile home as a dwelling house as part of the homestead. The exemption in this subsection is not available if the debtor has chosen the exemption provided for under subsection 1 of section 28-22-03.1.

SECTION 2. AMENDMENT. Subsection 1 of section 28-22-03.1 of the North Dakota Century Code is amended and reenacted as follows:

1. In lieu of the homestead exemption, up to ~~seventen~~ seventen thousand ~~five hundred~~ dollars. This exemption is not available if the resident exemption claimant, the spouse of the resident exemption claimant, or other head of the family of the resident exemption claimant has chosen the homestead exemption provided for under subsection 7 of section 28-22-02.

Approved April 9, 2015
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